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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/658,777

09/10/2003

Gene Savchuk

20501.802

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7590

01/30/2008

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EXAMINER

LIN, KENNY S

ART UNIT

PAPER NUMBER

2152

MAIL DATE

DELIVERY MODE

01/30/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

Application No.

10/658,777

Applicant(s)

SAVCHUK, GENE

Examiner

Kenny Lin.

Art Unit

2152

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) 1-14, 18, 19, 21 and 22 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 15-17, 20, 23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-23 are pending for examination. Claims 1-14, 18-19 and 21-22 are withdrawn.

#### ***Election/Restrictions***

2. This application contains claims 1-14, 18-19 and 21-22 drawn to an invention nonelected with traverse in the reply filed on 2/22/2007. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 15-17, 20 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Doyle et al (Doyle), US 2005/0039034.
5. Doyle was cited in the previous Office Action.

6. As per claim 15, Doyle taught the invention as claimed including a method comprising:
  - a. Receiving network data (pp. 0038, 0053, 0081); and
  - b. Preventing, through the network data, leaks of information by at least applying multi-dimensional content profiling (pp. 0014, 0021, 0038, 0040-0041, 0044-0047, 0050-0051, 0057-0060, 0081-0087).
7. As per claim 16, Doyle taught the invention as claimed in claim 15. Doyle further taught that the information includes a digital asset (pp. 0038, 0122).
8. As per claim 17, Doyle taught the invention as claimed in claim 15. Doyle further taught that the multi-dimensional content profiling takes into account the structure of the information (pp. 0038, 0040).
9. As per claim 20, Doyle taught the invention as claimed including a machine-readable medium having encoded information, which when read and executed by a machine causes a method comprising:
  - a. Receiving network data (pp. 0038, 0053, 0081); and
  - b. Preventing, through the network data, leaks of information by at least applying multi-dimensional content profiling (pp. 0014, 0021, 0038, 0040-0041, 0044-0047, 0050-0051, 0057-0060, 0081-0087).

10. As per claim 23, Doyle taught the invention as claimed including an apparatus comprising:

- a. A receiver to receive network data (pp. 0038, 0053, 0081); and
- b. A processor, coupled to the receiver, to prevent, through the network data, leaks of information by at least applying multi-dimensional content profiling (pp. 0014, 0021, 0038, 0040-0041, 0044-0047, 0050-0051, 0057-0060, 0081-0087).

11. Applicant's arguments filed 7/27/2007 have been fully considered but they are not persuasive.

12. In the remark, applicant argued (1) Doyle does not teach, "preventing, though the network data, leaks of information by at least applying multi-dimensional content profiling".

13. Examiner traverse the argument that:

As to point (1), Doyle specifically teach to apply multi-dimensional content profiling in paragraph 0038 to logically structure the documents to have more than one component, including individual paragraphs, sentences, or words within a text document; a table or cell within a spreadsheet; a drawing or chart from a presentation slideset; an image or frame from an animation...etc. and also apply multiple security container to encapsulate each component of the document. This shows the functionality as defined in the specification, page 51, lines 6-7 that multi-dimensional content profiling can capture characteristics of a document.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., the specification defines multi-dimensional content profiling as a collection of statistical routines that profile data by implementing a set of increasingly precise statistical estimators and implementing run-time verification of extracted entities) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Furthermore, application pointed to pages 51-61 in showing support for the definition of multi-dimensional content profiling but did not clearly point out what is included or excluded in defining "multi-dimensional content profiling" from these pages.

### ***Conclusion***

14. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kenny Lin whose telephone number is (571) 272-3968. The examiner can normally be reached on 8 AM to 5 PM Tue.-Fri. and every other Monday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bunjob Jaroenchonwanit can be reached on (571) 272-3913. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ksl  
January 29, 2008

